

# **EXHIBIT “C”**



**Schwartz, Barbara**

**From:** harkinss@gtlaw.com  
**Sent:** Friday, May 22, 2020 2:29 PM  
**To:** mjgoldenberger@goldenberglaw.com; valpec@kirtlandpackard.com  
**Cc:** CohenL@gtlaw.com; rubensteinb@gtlaw.com; Goldberg, Seth A.; Priselac, Jessica; cct@pietragallo.com; lockardv@gtlaw.com; Sarah.Johnston@btlaw.com  
**Subject:** RE: Valsartan - 2020.05.08 BHR Ltr. re: PFS Deficiencies

Marlene,

Below is a chart summarizing the deficiencies we have identified as “core” for purposes of the show cause process and corresponding sections of the personal injury PFS. To the extent possible we intend to limit the deficiencies identified on the future CMC agenda lists to cases with outstanding deficiencies in these areas which were discussed during our meet and confer last week. We are updating the prior exhibit listing to reflect this.

<b>Core Deficiency</b>	<b>Sections of PFS</b>
No indication of Valsartan drugs taken	I.A.C III.B
Plaintiff is not in possession of records confirming product use and does not affirm they have taken steps to obtain such records	I.C
Failure to indicate type of cancer and date of diagnosis	I.D VII.A
Contradictory information on cancer diagnosis and treatment either within PFS or between SFC and PFS	I.D VII.A
Failure to complete alternate exposures and medical conditions tables	II.D.4
Failure to provide details for non-cancer injuries, to the extent claimed	III.C
Failure to provide complete information about persistent symptoms	III.D
Failure to complete any subsection associated with a specific damages claim, to the extent claimed (lost wages, emotional injury, etc.)	I.E II.D.2 III.E III.F III.G III.H X
Incomplete addresses for prescribing pharmacies (e.g. identifying only a national chain rather than specific pharmacy location)	IV.C
Failure to indicate alcohol/tobacco use	V.D V.E
Failure to complete medical conditions table and provide information on medical providers for identified conditions	V.F V.G
Failure to complete section with respect to fraud claims, to the extent asserted	IX
Failure to provide complete and properly executed authorizations	XI.A (to the extent applicable)



Failure to provide medical records referenced in PFS or to indicate responsive records have been requested	I.C
Failure to attach records identified in Section XI, to the extent Plaintiff indicates that they are in possession of such records	XI.B

Please also let this email confirm that for purposes of meeting and conferring following receipt of a deficiency notice, individual Plaintiff's counsel should reach out to the firm that signs and submits the deficiency notice.

Best,

**Steven M. Harkins**  
Associate

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**From:** Marlene Goldenberg [mailto:mjgoldenberg@goldenberglaw.com]  
**Sent:** Saturday, May 9, 2020 12:50 PM  
**To:** Harkins, Steven M. (Assoc-ATL-LT) <harkinss@gtlaw.com>; valpec@kirtlandpackard.com  
**Cc:** Cohen, Lori (Shld-Atl-LT) <CohenL@gtlaw.com>; Rubenstein, Brian (Shld-PHIL-LT) <rubensteinb@gtlaw.com>; SAGoldberg@duanemorris.com; JPriselac@duanemorris.com; cct@pietragallo.com; Lockard, Victoria D. (Shld-Atl-LT) <lockardv@gtlaw.com>; Sarah.Johnston@btlaw.com  
**Subject:** Re: Valsartan - 2020.05.08 BHR Ltr. re: PFS Deficiencies

**\*EXTERNAL TO GT\***

Brian and Steve,

Are you available for a meet and confer on Monday at 1:00 CST/2 EST? If so, I can circulate a calendar entry. And if not, please let us know if another time on Monday afternoon would work better.

Thanks,

Marlene

**Marlene J. Goldenberg • Partner**  
**GoldenbergLaw, PLLC**  
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**From:** [harkinss@gtlaw.com](mailto:harkinss@gtlaw.com) <[harkinss@gtlaw.com](mailto:harkinss@gtlaw.com)>

**Sent:** Friday, May 8, 2020 11:52 AM

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**Subject:** Valsartan - 2020.05.08 BHR Ltr. re: PFS Deficiencies

Counsel,

On behalf of Brian Rubenstein and the Defendants, please see the attached.

Best,

**Steven M. Harkins**  
Associate

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